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6 Attorneys for Defendant  
7 HOME DEPOT U.S.A., INC.

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10 UNITED STATES DISTRICT COURT  
11 DISTRICT OF NEVADA

12 PAUL PARTON, individually,  
13 Plaintiff,

14 v.

15 HOME DEPOT U.S.A., INC., a foreign  
16 corporation; DOES 1 through 10; and ROE  
ENTITIES 11 through 20, inclusive jointly  
and severally,

17 Defendants.  
18

Case No. 2:20-cv-01404 JCM-EJY

**STIPULATED DISCOVERY PLAN  
AND SCHEDULING ORDER IN  
COMPLIANCE WITH LR 26-1(b) TO  
EXTEND EXPERT DISCLOSURE  
DEADLINES**  
(second request)

19 Plaintiff PAUL PARTON and Defendant HOME DEPOT U.S.A., INC. (“Home Depot”)  
20 by and through their attorneys of record hereby jointly stipulate and respectfully request this  
21 Honorable Court order a continuance of the discovery deadlines for 90 days pursuant to FRCP 26  
22 and Local Rule 26-1.

23 1. Discovery completed: To date, the Parties have exchanged Initial Disclosures, written  
24 discovery, conducted the deposition, and the IME of the Plaintiff. The Parties have been working  
25 diligently to review Plaintiff’s medical records which are very voluminous and given Plaintiff’s  
26 ongoing treatment additional time is need to obtain additional medical records from 9 facilities;

27 2. Discovery remaining to be completed: The Parties intend to engaged in informal  
28

1 settlement negotiations, summarize the additional medical records upon receipt and, if unable to  
 2 resolve, depose Plaintiff's numerous medical treatment providers and conduct the depositions of the  
 3 a person most knowledgeable of the Home Depot. Finally, Plaintiff has requested a site inspection of  
 4 the subject premises.

5 3. Description of why remaining discovery has not been completed within the time  
 6 limits previously set by the Court: The Parties have good cause for the 90 day extension of the  
 7 discovery deadlines because the medical records in this case are incredibly voluminous. Plaintiff  
 8 alleges over \$735,000 in past medical damages, is anticipated to have a third spinal surgery, and has  
 9 an extensive pre-existing medical history. Therefore, an additional extension of time is needed to  
 10 assess the medical condition of the Plaintiff and afford the Parties additional time to engage in  
 11 informal settlement negotiations and/or mediation.

12 4. Proposed schedule for completing all remaining discovery: Based on the foregoing,  
 13 the Parties respectfully request that the Court grant their joint request to extend the expert discovery  
 14 deadlines, as follows:

|   | Current Dates | Proposed Dates |
|---|---------------|----------------|
| 15 Amend the Pleadings                          | 1/25/2021     | 4/26/2021      |
| 16 Last day to make initial expert disclosures  | 3/1/2021      | 5/31/2021      |
| 17 Last day to make rebuttal expert disclosures | 3/29/2021     | 6/28/2021      |
| 18 Discovery Cut-Off                            | 4/26/2021     | 7/26/2021      |
| 19 Dispositive Motions                          | 5/25/2021     | 8/23/2021      |
| 20 Pretrial Order                               | 6/24/2021     | 9/22/2021      |

21 Pursuant to Local Rule 26-4, this Stipulation was agreed only recently when additional  
 22 medical treatment was disclosed and this Stipulation is being filed as soon as practicable after the  
 23 Stipulation.  
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DATED: February 26, 2021

By /s/ Travis J. Rich  
 TRAVIS J. RICH  
 Attorneys for Plaintiff  
 PAUL PARTON

DATED: February 26, 2021

By /s/ Lynn V. Rivera  
 LYNN V. RIVERA  
 Attorneys for Defendant  
 HOME DEPOT U.S.A., INC.

Upon consideration of the Parties' Stipulation and having found good cause exists, the Court rules as follows: the parties' request to continue the expert discovery deadlines by 90 days, with proposed dates set forth above, is granted.

DATE: February 26, 2021

Rayna L. Zouchak  
UNITED STATES MAGISTRATE JUDGE

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